

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**October 29, 2007**

DIVISION ONE

B186116      Auerbach Acquisition Associates, Inc.  
v.  
Greg Daily et al.

Filed order denying petition for rehearing.

DIVISION THREE

B195969 People (Not for Publication)  
v.  
Gilberto Acevedo

The judgment is affirmed.

Croskey, Acting P.J.

We concur:   Kitching, J.  
                      Aldrich, J.

DIVISION THREE (continued)

B193384      Raul Cardoso                      (Not for Publication)

v.

Byrde Hill

The judgment is affirmed. Cardozo is entitled to recover his costs on appeal.

Croskey, Acting P.J.

We concur:    Kitching, J.  
                  Aldrich, J.

DIVISION FOUR

B196332      Los Angeles County, D.C.S.              (Not for Publication)

v.

Marcus S.

The orders are affirmed.

Epstein, P.J.

We concur:    Willhite, J.  
                  Manella, J.

B193870      McCrary                                      (Not for Publication)

v.

United Airlines, Inc.

The judgment is affirmed.

Manella, J.

We concur:    Epstein, P.J.  
                  Suzukawa, J.

## DIVISION FOUR (continued)

B189667      People      (Certified for Partial Publication)  
v.  
Tena

The trial court is directed to prepare an amended abstract of judgment reflecting the changes in the appellant's presentence custody credits described above (see section E, *ante*) and to forward it to the Department of Corrections. In all other respects, the judgment is affirmed.

Manella, J.

We concur: Epstein, P.J.  
Suzukawa, J.

DIVISION SIX

[illegible]

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.  
Perren, J.

## DIVISION SIX (continued)

B184255      People                                  (Not for Publication)  
v.  
Gradillas & Reyes

As to both appellants, the clerk of the superior court is directed to prepare and forward to the Department of Corrections amended abstracts of judgment ordering each appellant, jointly and severally, to pay restitution in the amount of \$4,975 to the Restitution Fund in the state treasury. In all other respects, the judgments are affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.  
Perren, J.

B192329      Greene      (Not for Publication)  
v.  
Countrywide Home Loans, Inc.

The judgment is affirmed. Costs on appeal are awarded to respondents.

Gilbert, P.J.

We concur: Yegan, J.  
Coffee, J.

## DIVISION EIGHT

B194686 People (Not for Publication)  
v.  
Jimmy Barrett

The judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.  
Flier, J.

B191303 Richard Segal et al., (Certified for Publication)  
v.  
David Silberstein et al.,

For the reasons set forth above, the order denying Silberstein's petition to compel arbitration is reversed and the trial court is directed to enter a new and different order granting that petition. Appellants to recover their costs on appeal.

Rubin, J.

We concur: Cooper, P.J.  
Flier, J.

B195956 People (Not for Publication)  
v.  
Juan Pablo Herrera

The order of the trial court is reversed. The trial court is directed to grant appellant relief in accordance with Penal Code section 1203.4.

Flier, J.

We concur: Cooper, P.J.  
Rubin, J.

## DIVISION EIGHT (continued)

B186805      People                                  (Not for Publication)  
v.  
Theresa Kariger

The judgment is reversed and the matter remanded for a new trial.

Rubin, J.

We concur: Cooper, P.J.  
Flier, J.

B200184 Gloria H. Elvira (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Wendolyn Elvira et al., r.p.i.)

The petition for writ of mandate is granted. The respondent court is directed to vacate its May 3, 2007 order sustaining the demurrers of real parties in interest, and to thereafter enter a new and different order overruling the demurrers. Petitioner is entitled to recover her costs in this writ proceeding. (Cal. Rules of Court, rule 8.490(m).)

Flier, J.

We concur: Cooper, P.J.  
Rubin, J.

B187968      People  
v.  
Anthony Garcia

Filed order denying petition for rehearing.